Atlantic Richfield Company

Roy I. Thun
6 Centerpointe Drive
LaPalma, CA. 90623-1066
Office: (661) 287-3855
Fax: (661) 222-7349
E-mail: thunri1@bp.com

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Mr. James Sickles
Remedial Project Manager
USEPA Region 9
75 Hawthorne Street
San Francisco, CA. 94105

Subject: **Transmittal of Revised Air Quality Monitoring Work Plan for the Yerington Mine Site and Response to EPA letter dated January 12, 2007**

Dear Mr. Sickles:

This letter transmits Atlantic Richfield Company's ("ARC's") Revised Air Quality Monitoring Work Plan for the Yerington Mine Site ("Work Plan") in accordance with the U.S. Environmental Protection Agency ("EPA") letter of October 19, 2006 (*Response to Request for Air Quality Monitoring Scope Reduction at the Yerington Mine Site*, dated August 3, 2006), and EPA comments on the November 21, 2006 draft Work Plan contained in your letter of January 12, 2007 (*EPA Response to letter dated November 20, 2006 submitted by Atlantic Richfield Company, Anaconda Copper Mine Site, Yerington, Nevada*). Specifically, the final Work Plan addresses continuing high volume PM10 monitoring at stations AM-1, AM-3 and AM-6, discontinuing the high volume TSP monitoring at AM-6, implementing continuous PM10 monitoring at AM-1, AM-3, and AM-6, implementing wind monitoring at AM-1 and AM-3, and defining Data Quality Objectives (DQOs) for the monitoring program.

Note that the high volume PM10 monitoring resumed at AM-1, AM-3, and AM-6 on February 5, 2007, in accordance with the final Work Plan. In addition, the continuous PM10 monitors have been installed and are operating at AM-1, AM-3, and AM-6 as of February 7, 2007. The 10-meter towers have been installed and wind monitors are operating at AM-1, AM-3, and AM-6 as of February 16, 2007.

ARC RESPONSE TO COMMENTS ON DRAFT REVISED AIR QUALITY MONITORING WORK PLAN DATED NOVEMBER 21, 2006

EPA provided one comment on the draft Work Plan.

Comment: "EPA is concerned that six months is not an adequate timeframe to assess short-term impacts from dust storm events. A minimum of 1 year of monitoring and collection of (up to) 10 dust storm events should be implemented. This will allow for a continuous one year of data and will address issues such as the possibility that the continuous PM_{10} monitors may have missed seasonal weather fluctuations. If 10 dust storm events are not recorded during the one year period or dust storm events are demonstrated to pose no significant public health concern, EPA will consider the termination of continuous PM_{10} monitoring. However, if peak dust events demonstrate a significant public health concern, EPA reserves the right to require additional monitoring."

Response: Changes have been made to the final Work Plan in two sections.

1) The 7th sentence, 4th paragraph of Section 1.6 Air Sampling Frequencies and Duration has been modified to read," Peak dust storm events meeting this criterion will be sampled until a total of 10 events are obtained or for six months of monitoring (from February 2007 through February 2008), whichever duration is shorter." The 5th paragraph of Section 1.6 has been deleted.
2) The 1st sentence, 4th paragraph of Section 9.0 Schedule has been modified to read, "... ARC will operate the continuous particulate monitors until either 10 peak concentration events are sampled (defined as when the 1-hr concentration exceeds 300 ug/m^3 and the sampler turns on), or for a maximum of 12 months from February 2007 through February 2008, whichever duration is shorter." The 2nd and 3rd sentences, 4th paragraph of Section 9.0 have been deleted.

Section 6.6.2 of the final Work Plan Appendix B SOP-15 Continuous Particulate Air Sampling has been revised to incorporate data validation suggestions made by EPA's contractor.

In addition, ARC clarified the schedule for the implementation of the modified air monitoring program by letter dated December 8, 2006. The schedule of high volume PM10 sampling was suspended from December 19, 2006 to February 5, 2007 to accommodate construction activities associated with the installation of the continuous PM10 monitoring and 10-meter wind sensors. High volume PM10 monitoring resumed on February 5, 2007 and will continue through July 11, 2007, at which time a re-evaluation of the monitoring will be performed. Appendix E Sampling and Analysis Plan in the final Work Plan has been modified to reflect these schedule changes.

ARC RESPONSES TO EPA'S GENERAL COMMENTS ON THE AIR MONITORING PROGRAM

For the reasons set forth in ARC's letters dated August 3, 2006 and November 20, 2006, ARC believes that certain of the air monitoring activities and attendant costs that EPA insists ARC conduct are neither necessary nor consistent with the National Contingency Plan. Although ARC will comply with EPA's direction to conduct such air monitoring pursuant to the terms of the March 31, 2005 Unilateral Administrative Order, ARC also expressly reserves all of its rights under CERCLA, including its rights for recovery of such costs from the Superfund pursuant to Section 106(b) of CERCLA , 42 U.S.C. Section 9606(b). ARC's compliance with EPA's requests should not be construed as a substantive agreement with the rationale provided by EPA in its October 19th letter. ARC's areas of disagreement are re-iterated below.

- ARC maintains that the two goals of the air quality monitoring program have been accomplished by the monitoring conducted from January 2005 through December 2006:

  1) Evaluate what metals and radionuclides contained in the surface materials at the Site are migrating off-site via the air pathway and in what concentrations of PM10 and TSP, and
  2) Provide sufficient data for a human health risk assessment.

- The existing meteorological data from January 2005 through December 2006 is representative of seasonal variations in weather conditions and is adequate.

- ARC maintains that a screening level inhalation risk evaluation should be conducted on the data collected over the last two years in response to nearby resident concerns. ARC submitted the Draft Screening Level Inhalation Risk Evaluation Work Plan on February 1, 2007. The air quality data that have been collected are adequate for the evaluation of chronic and acute exposures, and sufficiently capture seasonal variability, dust storm events, and fluctuations in source material.

- Capping of the sulfide tailings in April 2006 is an accepted mitigation measure for fugitive dust emissions; therefore, there is no need to continue high volume PM10 monitoring to evaluate this emission control method.

- ARC maintains that continuous PM10 monitoring is not justified nor reasonable and necessary because "peak" dust events have been adequately captured by the existing air monitoring program. There are methods that may be used to estimate peak exposures using the existing data (e.g., multiplying a 24-hour concentration by 24 to estimate the concentration during a 1-hour event).

- ARC disagrees with EPA's conclusion that air quality monitoring is needed for assessing ecological risks.

Please contact me at (661) 287-3855 if you have any questions regarding the information contained in this letter.

Sincerely,

Chuck Zimmerman for
Roy I. Thun
Environmental Business Manager

cc: Pat Plumb (BLM)
Joe Sawyer (NDEP)
Mark Evans (ATSDR)
Tad Williams (Walker River Tribe)
Duane Masters (Yerington Paiute Tribe)
Lyon County Library System
Stacey Waterman (BP)
Jim Chatham (BP)
Todd Normane (BP)
Matt Arno (Foxfire)
Mark Podrez (RTP)
Damian K. Higgins (U.S. Fish & Wildlife)
Doug Herlocker (Tetra Tech EM Inc.)
Rosalind Schoof (Integral Consulting Inc.)
Rich Curley (Holland and Hart)